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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,400	02/20/2002	Harry Meade	10275-041002	3033
31904	7590	12/16/2005	EXAMINER	
GTC BIOTHERAPEUTICS, INC. 175 CROSSING BOULEVARD, SUITE 410 FRAMINGHAM, MA 01702			WOITACH, JOSEPH T	
			ART UNIT	PAPER NUMBER
			1632	

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/081,400

Examiner

Joseph T. Voitach

Applicant(s)

MEADE

Art Unit

1632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 03 October 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☒ C. Other See Continuation Sheet.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Joe Voitach
AUI632

Continuation of 1(c) Other: the CRF contained two files, and needed other corrections (see attached summary by STIC.

STIC Biotechnology Systems Branch

**RAW SEQUENCE LISTING
ERROR REPORT**

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/081,400B
Source: IFW/6
Date Processed by STIC: 10/5/05

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

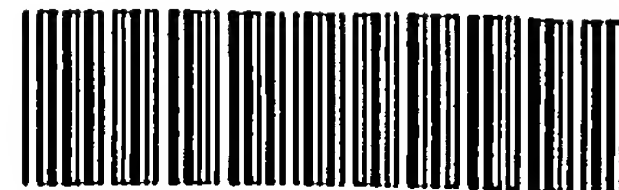
TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 4.2.2 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail. Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom. Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/24/05



IFW16

RAW SEQUENCE LISTING

DATE: 10/05/2005

PATENT APPLICATION: US/10/081,400B

TIME: 15:08:24

Input Set : A:\SEQUENCE.txt

Output Set: N:\CRF4\10052005\J081400B.raw

4 <110> APPLICANT: Young, Michael
 5 Meade, Harry
 6 Krane, Ian
 8 <120> TITLE OF INVENTION: ERYTHROPOIETIN ANALOG-HUMAN SERUM ALBUMIN FUSION
 10 <130> FILE REFERENCE: GTC-6 D
 12 <140> CURRENT APPLICATION NUMBER: US 10/081,400B
 13 <141> CURRENT FILING DATE: 2002-02-20
 E--> 15 <160> NUMBER OF SEQ ID NOS: 45 (p.2)
 17 <170> SOFTWARE: FastSEQ for Windows Version 4.0

ERRORED SEQUENCES

49 <210> SEQ ID NO: 3
 50 <211> LENGTH: 27
 51 <212> TYPE: PRT
 52 <213> ORGANISM: Artificial Sequence
 54 <220> FEATURE:
 55 <223> OTHER INFORMATION: Synthetically generated linker sequence
 57 <400> SEQUENCE: 3
 58 Ser Gly Gly Gly Gly Ser Pro Ser Gly Gly Gly Gly Ser Pro Ser Gly
 59 1 5 10 15
 60 Gly Gly Ser Pro Ser Gly Gly Gly Gly Ser Pro
 E--> 61 20 25 25

Does Not Comply
 Corrected Diskette Needed

pg 1-2

↑
 misaligned amino acid numbering

FYI:

Per 1.824 of Sequence Rules, only
one file per computer readable form.
 Submitted disk contained two files.

10/08,400B

2

<210> 5 last sequence in submitted file

<211> 5

<212> PRT

<213> Artificial Sequence

<220>

<223> Synthetically generated linker sequence

<400> 5

Ser Ser Ser Ser Gly

1

5

VERIFICATION SUMMARY

PATENT APPLICATION: US/10/081,400B

DATE: 10/05/2005

TIME: 15:08:25

Input Set : A:\SEQUENCE.txt

Output Set: N:\CRF4\10052005\J081400B.raw

L:61 M:332 E: (32) Invalid/Missing Amino Acid Numbering, SEQ ID:3

L:15 M:203 E: No. of Seq. differs, <160> Number Of Sequences:Input (4) Counted (5)